

UNITED STATES DISTRICT COURT
DISTRICT OF MAINE

UNITED STATES OF AMERICA,)
)
)
)
v.) CRIMINAL No. 2:08-CR-67-DBH-04
)
PATRICIA MORRISON,)
)
DEFENDANT/PETITIONER)

**ORDER AFFIRMING RECOMMENDED DECISION
OF THE MAGISTRATE JUDGE**

On August 22, 2014, the United States Magistrate Judge filed with the court, with copies to the parties, his Recommended Decision on 28 U.S.C. § 2255 and 18 U.S.C. § 3582 Motion. The petitioner filed an objection to the Recommended Decision on September 10, 2014. I have reviewed and considered the Recommended Decision, together with the entire record; I have made a *de novo* determination of all matters adjudicated by the Recommended Decision; and I concur with the recommendations of the United States Magistrate Judge for the reasons set forth in the Recommended Decision, and determine that no further proceeding is necessary.

It is therefore **ORDERED** that the Recommended Decision of the Magistrate Judge is hereby **ADOPTED**. No evidentiary hearing is warranted under Rule 8 of the Rules Governing Section 2255 Cases. The motion for habeas relief under 28 U.S.C. § 2255 is **DENIED**. I also **DENY** a certificate of appealability pursuant to Rule 11 of the Rules Governing Section 2255 Cases because there is no

substantial showing of the denial of a constitutional right within the meaning of 28 U.S.C. § 2253(c)(2). The request for a sentence reduction under 18 U.S.C. § 3582 is **DENIED**. To the limited extent that the section 3582 motion is based on amended sentencing guidelines that are not yet in effect, the motion is **DENIED WITHOUT PREJUDICE**. As to all other claims under either 18 U.S.C. § 2255 or 18 U.S.C. § 3582, the petitioner's motion is **DENIED WITH PREJUDICE**.

So ORDERED.

DATED THIS 7TH DAY OF OCTOBER, 2014

/S/D. BROCK HORNBY

D. BROCK HORNBY
UNITED STATES DISTRICT JUDGE